

16 February 1956

MEMORANDUM FOR: Claims Branch, Fiscal Division

SUBJECT: Vehicle Accident Survey Report No. 00808

REFERENCE: Memorandum from Recording Secretary, Headquarters
Board of Survey, dated 3 February 1956

1. The referenced memorandum and attached reports relate the details of an accident on 20 December 1955 between an Agency bus and a privately owned automobile in the driveway in front of Curie Hall. While the fact that the automobile was illegally parked contributed to the accident, the proximate cause was the negligence of the bus driver in failing to look to the rear and observe the parked automobile before backing up. The fact that the automobile was illegally parked cannot be said to be contributory negligence directly resulting in the accident.

2. In the opinion of this Office, the facts in this case are such as would render the United States liable, if a private person, as provided in the Federal Tort Claims Act, 28 U.S.C. 2672, as amended.

3. The file is forwarded herewith.

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Office of General Counsel

OGC:JDM:mz

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Attachments